

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: Barbara Podobnik, et al.
U. S. Patent No.: 7,585,496
Date of Patent: September 8, 2009
Title: Stable Pharmaceutical Composition Granulocyte-Colony
Stimulating Factor

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.323, patentees, by and through their attorneys of record, respectfully request issuance of a Certificate of Correction in the above-referenced patent. The errors are believed to have occurred as a result of mistakes made by the patentees and include the following:

Column 3, lines 9-13, please delete the following sentences:

“The present invention provides a new stable pharmaceutical composition of G-CSF in accordance with claim 1. Preferred embodiments are set forth in the sub-claims. The present invention also provides a process according to claim 17, and uses according to claims 18 and 19.”

In their place, please insert the following sentences:

-- The present invention provides new stable pharmaceutical compositions of G-CSF in accordance with the disclosure herein. The specification also discloses preferred embodiments of the compositions and of processes and methods for making and using G-CSF compositions. --

These mistakes were inadvertent and were made without any deceptive intent, and correction of the same is not believed to affect the scope of the patent.

In accordance with 37 C.F.R. § 1.322, patentees, by and through their attorneys or record, also respectfully request issuance of a Certificate of Correction in the patent with regard to the following additional errors and mistakes believed to have been made by the Patent and Trademark Office in the printing of the patent certificate:

In the Specification:

Column 3, line 34, "C." should be --C--;
Column 3, line 36, "C." should be --C--;
Column 3, line 39, "C." should be --C--;
Column 3, line 43, "C." should be --C--;
Column 3, line 45, "C." should be --C--;

Column 4, line 35, "highertemperature" should be --higher temperature--;
Column 4, line 48, "C." should be --C--;
Column 4, line 49, "C." should be --C--;
Column 4, line 50, "C." should be --C--;

Column 7, line 64, "C." should be --C--;

Column 8, line 4, "C." should be --C--;
Column 8, line 18, "C." should be --C--;
Column 8, line 39, "C." should be --C--;
Column 8, line 50, "C." should be --C--;
Column 8, line 51, "C." should be --C--;
Column 8, line 55, "C." should be --C--;

Column 9, line 18, "C." should be --C--;
Column 9, line 19, "C." should be --C--;
Column 9, line 20, "C." should be --C--;
Column 9, line 21, "C." should be --C--;
Column 9, line 22, "C." should be --C--;

Column 10, line 28, "C." should be --C--;
Column 10, line 32, "C." should be --C--;
Column 10, line 42, "C." should be --C--;
Column 10, line 61, "C." should be --C--;

Column 11, line 7, "C." should be --C--;
Column 11, line 17, "C." should be --C--;
Column 11, line 20, "a re" should be --are--;
Column 11, Table 1, lines 42 through 46, "C." should be --C--;

Column 12, Table 2, lines 12 through 18, "C." should be --C--;
Column 12, Table 3, lines 43 through 48, "C." should be --C--;
Column 12, Table 4, lines 63, through 65, "C." should be --C--;

Column 13, Table 4 (continued), lines 4 though 23, "C." should be --C--;
Column 13, Table 5, line 42, "C." should be --C--;
Column 13, Table 6, lines 59-63, "C." should be --C--;

U.S. Patent No. 7,585,496

Column 14, Table 7, lines 44-55, "C." should be --C--;

Column 15, Table 8, line 6, "C." should be --C--;

In the Claims:

Column 17, Claim 1, line 22, "C." should be --C--;

Column 18, Claim 15, line 21, "C." should be --C--;

Column 18, Claim 16, line 31, "C." should be --C--;

Column 18, Claim 17, line 37, "C." should be --C--;

Column 18, Claim 18, line 42, "C." should be --C--; and

Column 18, Claim 19, line 47, "C." should be --C--.

A proposed Certificate of Correction incorporating the above-noted corrections is attached hereto.

The petition fee of \$100 is included herewith. Should proper payment not be enclosed, or should the check be in the wrong amount or otherwise improper or entirely missing, please charge or credit the appropriate amount to our Deposit Account No. 12-2355.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By: /Mark S. Graham/

Mark S. Graham
Reg. No. 32,355

Date: November 25, 2009
P. O. Box 1871
Knoxville, TN 37901
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E-Filing

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 3

PATENT NO. : 7,585,496

APPLICATION NO.: 10/577,285

ISSUE DATE : September 8, 2009

INVENTOR(S) : Barbara PODOBNIK, Vladka Gabere POREKAR and Viktor MENART

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In the Specification

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MAILING ADDRESS OF SENDER (Please do not use customer number below):

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Column 8, line 50, "C." should be --C--;
Column 8, line 51, "C." should be --C--;
Column 8, line 55, "C." should be --C--;

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Column 9, line 19, "C." should be --C--;
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Luedeka, Neely & Graham, P.C.
P.O. Box 1871
Knoxville, TN 37901

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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.